

CTB-ME-86187

TOP SECRET

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DE WTE #1946 1191654

O 291510Z APR 74

FM THE SITUATION ROOM//TOHAK 008//

/O PETER RODMAN FOR SECRETARY KISSINGER

ZEM

S E C R E T SENSITIVE EXCLUSIVELY EYES ONLY VIA 86970 WH41035

TOHAK 008

APRIL 29, 1974

DELIVER IN SEALED ENVELOPE; DESTROY ALL TAPES; MAKE NO COPIES.

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

TO: PETER RODMAN FOR SECRETARY KISSINGER
 FROM: BRENT SCOWCROFT

1. STWJW MEETING THIS MORNING DEALT LARGELY WITH THE PRESIDENT'S DECISION ON RELEASE OF THE TAPES. HAIG POINTED OUT THAT A LARGE AMOUNT OF MATERIAL WOULD BE TURNED OVER--ENOUGH TO LAY OUT THE ENTIRE WATERGATE CASE IN TERMS OF THE PRESIDENT'S KNOWLEDGE AND ACTIONS, AND CONSIDERABLY MORE THAN DEMANDED IN THE SUBPOENA FOR THE 42 TAPES. HE SAID THAT THE PRESIDENT HAS DECIDED THAT THINGS HAVE GONE SO FAR NOW THAT NOT TO DO SO WOULD IN ITSELF JEOPARDIZE THE PRINCIPLE OF EXECUTIVE PRIVILEGE WHICH HIS ACTIONS HERETOFORE HAVE BEEN DESIGNED TO PROTECT. HAIG SAID THAT, AS FAR AS HE KNEW, THERE WERE NO MORE "HOOKERS" LYING AROUND ANYWHERE TO BE LEAKED OUT TO SABBAG PRESIDENTIAL SUPPORTERS. IN OTHER WORDS, THERE WAS NO NEED ANY LONGER TO BE GUN-SHY, AND AMPLE MATERIAL WOULD BE PROVIDED EITHER TONIGHT OR TOMORROW MORNING TO PERMIT KEY SUPPORTERS TO GO ON THE OFFENSIVE. HE SAID THE LAWYERS ARE CONVINCED THAT THERE IS NO CASE AGAINST THE PRESIDENT--UNLESS ONE TAKES AN APPROACH SIMILAR TO THAT OF RICHARDSON YESTERDAY ON MEET THE PRESS--THAT, WHILE NO SINGLE ACT APPEARS ILLEGAL, THE OVERALL CUMULATIVE EFFECT OF ALL THE THINGS WHICH HAVE GONE ON PRESENTS A GRAVE PICTURE. HAIG SAID THAT WHILE THE EVIDENCE ITSELF IS EXCULPATORY THERE WILL BE A LOT OF BAD MATERIAL COMING OUT BECAUSE, WHILE THE PRESIDENT THINKS IN MORAL TERMS, HE TALKS ALMOST EXCLUSIVELY IN TERMS OF PRAGMATICS; THAT IS, DOES IT WORK? ONE OTHER THING THAT WILL STAND OUT IS THE INCONSISTENCY IN JOHN DEAN'S STATEMENTS. THAT WAS ONE OF THE KEY ASPECTS OF THE MITCHELL-STANS TRIAL, WHERE TAPES HAD BEEN PROVIDED TO THE COURT. THOSE TAPES CYNOWED A SUBSTANTIALLY DIFFERENT STATE OF AFFAIRS FROM WHAT JOHN DEAN HAD DESCRIBED TO THE GRAND JURY. HAIG STRESSED THAT NO DECISION HAD YET BEEN MADE ABOUT MAKING ALL THIS MATERIAL PUBLIC. THE PRESIDENT WILL PROBABLY GIVE A TELEVISION ADDRESS TONIGHT, AND A CABINET MEETING IS PLANNED FOR THIS AFTERNOON TO PRESENT THE WHOLE PICTURE.

END OF PAGE 01

2. CONTENTS OF HAKTO 004 HAVE BEEN PASSED TO DINITE FOR TRANSMISSION.

WARM REGARDS.
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